

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA

v.

Criminal No. 2:15-cr-00059

GARY BRIAN ADAMS

MOTION TO ACCEPT FILING OUT OF TIME AND TO EXCEED PAGE LIMIT

Defendant's sentencing is scheduled for August 27, 2015, and the deadline for the filing of his sentencing memorandum was Thursday, August 20, 2015. Pursuant to the Court's order, the sentencing memorandum may not exceed five pages.

Counsel for defendant was out of the office due to illness from August 20, 2015, until today and was unable to complete defendant's sentencing memorandum in time for it to be filed by the August 20 deadline. In order to accurately set forth the defendant's position as to why a variance sentence would be appropriate, the defendant's sentencing memorandum slightly exceeds the Court's five-page limit.

For the above reasons, defendant asks that the Court approve and accept his sentencing memorandum as filed this date.

Date: August 24, 2015.

Respectfully submitted,

GARY BRIAN ADAMS

By Counsel

**CHRISTIAN M. CAPECE
FEDERAL PUBLIC DEFENDER**

s/ Lex A. Coleman

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **MOTION TO ACCEPT FILING OUT
OF TIME AND TO EXCEED PAGE LIMIT** has been electronically filed with the Clerk of Court
this date using the CM/ECF system and served upon opposing counsel as follows

VIA CM/ECF: Steven I. Loew
Assistant United States Attorney
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Email: steven.loew2@usdoj.gov

DATE: August 24, 2015

s/ Lex A. Coleman
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Assistant Federal Public Defender
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